



## Legislation Text

**File #:** SR 15-8, **Version:** 1

License Application Summary for License ID #20140002648, Midwest Auto Connection LLC, doing business as Midwest Auto Connection, Jeffrey Richter, owner, 651-272-0029

1360 Rice St, Ward 5

Second Hand Dealer - Motor Vehicle, Auto Repair Garage, and Auto Body Repair/Painting Shop license

1. The licensee shall manage and maintain the business in compliance all license conditions specified herein and with all federal, state, and local laws. Failure to remain in compliance will result in adverse action against the license.
2. Parking for customers, vehicle sales display, business vehicles, vehicles awaiting repair and the dumpster location shall be located only on the paved surface of the license premises and arranged as per the approved site plan, dated 11/03/2014, on file with the Department of Safety and Inspections (DSI File# 2014-332038).
3. The total number of vehicles parked on the property, (i.e., customer, employee, for-sale, shop trucks, and equipment vehicles), shall not exceed a maximum of sixty-six (66) at any time. At least twenty-three (23) off-street parking spaces for customer vehicles (awaiting repair or pick-up) and for employee vehicles, must be provided in the location on the licensed premises, as per the approved site plan.
4. "For Sale" vehicles shall not be displayed and/or parked in the parking spaces intended for customer/employee parking. Maximum number of "for sale" vehicles on the lot shall not exceed forty-three (43) and shall be parked as shown on the approved plan. Vehicles for sale shall be designated with a price tag or similar form of marking in the windshield.
5. The parking spaces for customers, employees, and "for sale" vehicles shall be striped in accordance with the approved site plan on file with DSI, by no later than June 5, 2015.
6. The City reserves the right to reduce the number of "For Sale" cars permitted so that additional spaces can be provided for cars, awaiting repairs and other customer parking needs, if the City determines in the future that that number of spaces shown on the approved plan is not sufficient to handle the actual number of cars generated by the Auto Repair business.
7. There shall be no exterior storage of vehicle parts, tires, oil or any other similar materials associated with the business. Trash and discarded vehicle parts shall be stored in a covered dumpster. Licensee shall obtain and maintain an active Hazardous Waste Generator License from Ramsey County Solid Waste Division and; shall abide by the provisions of that license with respect to the safe handling and disposal of waste oil, filters, tires, batteries, etc.
8. At no time shall vehicles associated with this business be parked in the driveway, maneuvering lane, or in the public right of way (e.g., street, boulevard, sidewalk, alley, etc.). This includes customer vehicles awaiting repair or pick-up by their owners, employee vehicles, business vehicles, or for-sale vehicles. Maneuvering lanes in the parking area shall be maintained unobstructed allowing vehicles to proceed forward when entering from or exiting to the street. There shall be no stacking of vehicle in the drive lane approach to the garage door entrance. Customer and/or employee vehicles may not be parked longer than ten (10) days on the premises. It shall be the responsibility of the licensee to ensure than any vehicle not claimed by its owner is removed from the lot as permitted by law.
9. All auto repair work shall be done within an enclosed building. No repair of vehicles may occur on the exterior of the lot or in the public right-of-way.
10. Painting of vehicles, in conjunction with the auto body repair license; or any other kind painting activity, is only allowed in a paint booth, inspected and approved for operation by city inspection staff. Spray painting outside of the approved booth, either within the building or outside of the building, is prohibited.

11. Vehicle salvage, a principal activity of obtaining and dismantling motor vehicles to salvage and sell usable parts, is expressly not permitted.

The District 6 Planning Council submitted a letter of support.

09/03/2014 License application entered into DSI computer system.

09/19/2014 Letter of application incompleteness sent to applicant. Letter informs applicant that licenses have not been issued, and if currently operating at this location they are doing so without the required valid City license which could result in adverse action against their application.

11/03/2014 Site plan approved by DSI Zoning Division. License applicant signs license condition affidavit acknowledging conditions that would be placed on any issued licenses.

11/04/2014 Public license notification sent, response deadline is 12/05/2014.

12/05/2014 Objection to license application received.

12/10/2014 Ventilation inspector was at site to meet with an HVAC contractor to discuss proposed paint booth and repair garage. He observed vehicles being repair in the building. The HVAC inspector called the fire inspector because the repair work being observed did not have proper ventilation yet. The fire inspector ordered all repair work to cease until the building had been approved for the change in use from its current status as a warehouse to a proposed repair garage by the building inspector.

12/10/2014 Subsequently, Mr. Richter meets with Larry Zangs (DSI Licensing staff) in DSI office to talk about the orders from the fire inspector. Mr. Richter indicated he thought the license was issued once the District 6 Council recommended approval. Mr. Zangs told Mr. Richter that the District 6 recommendation for approval was not the final action to getting the license and that DSI was not ready to issue the licenses because he had not yet completed the improvements necessary to bring the building up to code for the intended use. Mr. Zangs reiterated the fire inspector's orders that no repair work was allowed in the building without the approval of the building official and until the licenses could be issued. Mr. Richter acknowledged he understood and indicated that all repair activity has ceased in the building. Mr. Richter asked if he could occupy the office portion of the building and be allowed to have the Second Hand Motor Vehicle Dealers license issued, to at least sell cars. Mr. Richter is told such a request must be submitted in writing, and that if approved no auto repair or auto body repair/painting work would be allowed in the rear portion of building until a C of O has been approved for that space. Mr. Richter acknowledged he understood and would abide by the restriction on use, if the license, permitting auto sales, was granted.

12/12/2014 Mr. Richter submits a written request to have the Second Hand Dealer - Motor Vehicle license issued. His request states there are repairs needing to be done on the building to allow auto repair related work to take place and that he can "...guarantee that there will be no auto repair taking place until the repair license is issued..."

12/23/2014 Mr. Richter speaks with Jeff Fischbach (DSI Licensing staff) in DSI office about his request for issuance of the Second Hand Dealer - Motor Vehicle license. Mr. Richter states there are vehicles currently parked on the property associated with his business. When asked how many are on the property and if he knows the maximum number permitted under the license conditions that would be placed on any license issued, Mr. Richter replies 64 & 66 respectively. Mr. Richter is informed that an objection was submitted during the public notification process, review of his request may be completed by 12/26/2014, and that since no licenses have been issued there should be no auto sales and/or repair activity taking place on the property. Mr. Richter states he doesn't have another place to park the vehicles.

12/26/2014 Mr. Richter is told that a Legislative Hearing will be needed, no licenses can be issued at this time, and that no auto sales and/or repair activity should be taking place on the property until licenses are issued.

01/02/2015 Per a site inspection by Kris Schweinler (DSI Licensing staff) the following was observed: power tools were heard operating inside the building, auto repair taking place inside the building, the doors to the building were immediately closed once the people inside noticed the inspector, 83 vehicles parked on the lot, vehicles were not parked in accordance with the approved site plan, exterior storage (pallets, auto body parts, debris), and a vehicle parked on the lot missing the entire front end and major components of its engine.

Building: Active/Issued Permits

Environmental Health: NA

License: Cannot recommend approval at this time

Zoning: Approved with conditions

Cannot recommend approval at this time